

# Street Closing

---

## **QUESTION:**

Under what circumstances will the City approve the permanent closing of a street or alley?

## **ANSWER:**

If a street or alley in the City Limits is determined to provide public benefits for residents, and closing the street will not deprive property owners in the vicinity of access, then the City Council can close a street or alley. Most streets or alleys that are closed are dead-end unimproved rights-of-way that only provide access to the property owners that want the street closed. If the street is on the State system, the State Transportation Department must also approve the closing.

## **QUESTION:**

If I want to close a street, what procedures do I need to follow?

## **ANSWER:**

Secure a street closing petition from the Development Plans Review, One Exchange Plaza, or call (919) 516-2655 and ask for a street closing petition. Complete and return the petition with the following required information: a description of street or alley to be closed, City or County property map and recorded map outlining the area petitioned to be closed, a \$200.00 filing fee, and signatures of all abutting property owners.

## **QUESTION:**

What happens when I file the street closing petition? How long does it take?

## **ANSWER:**

The process will take at least six weeks.

After receiving the necessary documents, City staff will conduct a review to determine the effect of the closing on existing utility lines in the right-of-way, the need to keep the street open for general circulation, and if any person will be denied access to their property due to the closing.

A staff recommendation is made to the City Manager to either hold a public hearing, or not to close the street. If the City Manager determines that the street should remain open, the applicant is informed, and may appear before City Council to request the Council authorize a hearing on the closing. If the Manager determines that the street closing warrants a hearing, he makes a request to City Council to hold a hearing.

If City Council elects to hold a public hearing, they will adopt a resolution which authorizes the City Clerk to advertise in a newspaper of general circulation once a week for four weeks and notify the abutting property owners of the date, time and place of the public hearing. The City is also required by law to post two signs in the area of the closing serving notice of public hearing. Following the public hearing, the City Council will make a decision or refer the item to a committee for further discussion before final action.

## **QUESTION:**

If the City Council adopts a resolution to close the street or alley, can I then use the property as I choose or do I have further responsibilities?

## **ANSWER:**

If the City Council adopts a resolution to close the street or alley, then the petitioner will be assessed by the City for the cost of advertisement - less \$200.00 filing fee - and be required to record a plat officially closing the street at the Wake County Register of Deeds Office within one year of the City Council action date. The plat may include easements for utilities that are to be reserved. Other conditions may be attached to the closing, such as building an appropriate turnaround on a dead-end street, before the plat is recorded. The petitioner will be responsible for the cost of surveying and recording fees.

## **QUESTION:**

How is the property from the street closing divided?

## **ANSWER:**

The closed right-of-way is split evenly between property owners adjacent to the street or alley being closed; the result is a new property line down the center line of the closed roadway.

## **QUESTION:**

I want to temporarily close a street for construction work, what do I need to do?

## **ANSWER:**

Contact the Public Works Department at (919) 890-3030. They can guide you through the necessary procedures to close the street.

## **QUESTION:**

People are using the street I live on as a cut-through and they generally speed. Can I close a street to reduce traffic volumes and speeds?

## **ANSWER:**

The City discourages street closings as a means of traffic control. In many instances, it creates problems associated with the delivery of emergency services by increasing response times. To explore other methods to control traffic, contact the Public Works Department at (919) 890-3030. or the Raleigh Police Department, (919) 890-3335, (P. O. Box 590, Raleigh, NC 27602, Attn: Major, Field Operations).

## **QUESTION:**

I live on a street with few houses and it is rather dark and secluded at night. People park as well as dump trash on the vacant lots. Can I close the street?

## **ANSWER:**

Much more effective ways to deal with such problems are available. Contact the Police Department (919) 890-3335, or the Inspections Department concerning nuisance abatement, (919) 516-2495.